

# **DSJ1&2-PR Exh 534**

**From:** Colleen McGinn  
**To:** Karin Shanahan  
**Sent:** 10/16/2015 2:48:23 PM  
**Subject:** FW: PO# 1031374 for the OXYCODONE product.

Karin,

We have an issue with an order Publix placed for Oxycodone. The order was held in the system for further investigation because it's off the charts in comparison to other customers of the same size.

Joe has asked for follow up information to conduct his investigation. He cannot make a decision to ship or not until he gets that information.

Apparently Christine Baeder berated him today for making accusations of "criminal activity" by the customer. In Joe's words, he hasn't received verbal abuse like that in years. Christine is demanding that the order be released and wants a meeting with you today or Monday at the latest.

I'm not very happy about my people being verbally abused for doing their job and bullying them into releasing an order is a slippery slope.

**From:** Joseph Tomkiewicz  
**Sent:** Friday, October 16, 2015 8:01 AM  
**To:** Jocelyn Baker  
**Cc:** Nisha Patel02; Marianne Geiger; Michelle Osmian; Redet Tefera; Jennifer King; Daniel Baker; Colleen McGinn; Matthew Benkert  
**Subject:** RE: PO# 1031374 for the OXYCODONE product.

Jocelyn,

There are several red flags with this—

1. This is high-strength oxycodone ultimately going to Florida, a well-established hot spot for oxycodone abuse in the U.S.
2. The total quantities in the Publix forecast put them significantly above their peers as far as size and class of trade are concerned.
3. The breakdown by strength, with an emphasis on 40mg does not appear to be normal for a retail pharmacy. I would expect the breakdown to be closer to that of Thrifty White, where the emphasis is on lower strengths.

While red flag #1 is always going to be in place, this places greater emphasis on our due diligence regarding #2 and #3, and we must be prudent in documenting our results in great detail, including maintaining all of our correspondence regarding this launch— and not just regarding Publix.

I had informed Michelle early yesterday afternoon that we were going to be discussing Publix (and one other customer, whose forecast numbers were much closer to what can be considered normal, but still slightly outside of that range) during the meeting next Tuesday, along with presenting information that we will require before we can ship to Publix. Unfortunately, the timetable has obviously been accelerated due to this order.

As far as Publix being an established customer, please remember that Cardinal, McKesson, Walgreens and CVS are also established customers, all of whom had serious DEA penalties due to the handling of oxycodone in the state of Florida.

For Wal-Mart and Thrifty White, their forecast numbers put them solidly into what we can consider normal, so unless they order far in excess of their forecast, no order for them should be held for further information, nor should further information be requested of them due to this launch.

Had my group been informed of this launch prior to actually receiving orders, we may have been able to clear these



red flags before any order had been placed. Unfortunately, this was not the case, and we have been forced to hold this order. We do not take the holding of a newly launched product lightly, and are only holding this because of these serious red flags. Once these red flags have been cleared we will be able to ship.

Thanks,

**TEVA**

**Joseph Tomkiewicz** Manager DEA Compliance  
Tel: 215-293-6378 Cell: 215-272-8840  
Joseph.Tomkiewicz@tevapharm.com www.tevapharm.com



#### OUR PURPOSE & VALUES

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**From:** Jocelyn Baker  
**Sent:** Friday, October 16, 2015 7:37 AM  
**To:** Daniel Baker  
**Cc:** Nisha Patel02; Joseph Tomkiewicz; Marianne Geiger; Michelle Osmian; Redet Tefera; Jennifer King  
**Subject:** Re: PO# 1031374 for the OXYCODONE product.

Joe-  
Publix is an established customer who sells some of our other controls. Is this really required? Also, will you require this from my other 2 retailers (Walmart and Thrifty White) who have accepted our offer on this product? This was not presented to them in advance and may put this award at risk. Again they are an established customer selling controls and have had no issues to date.  
Please advise-

Jocelyn Baker  
Director, National Accounts  
Tel: 410-874-7683 Cell: 479-903-0934

On Oct 16, 2015, at 7:28 AM, Daniel Baker <[Daniel.Baker@tevapharm.com](mailto:Daniel.Baker@tevapharm.com)> wrote:

I received a phone call from Jerry Kovak stating Anda is selling this product as an indirect for Teva. He stated we should be reaching out to our NAM and/or Publix. Is there anyone I should be sending this to directly? Please let me know.

Thanks

**Dan Baker**  
Teva Pharmaceuticals  
Trade Account Specialist II

(215) 591-8691 Work  
(800) 545-8800 Option 2,1,1 Work  
(800) 760-1009  
[Daniel.Baker@tevapharm.com](mailto:Daniel.Baker@tevapharm.com)

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**From:** Daniel Baker  
**Sent:** Thursday, October 15, 2015 3:55 PM  
**To:** 'Ward, Dawn'  
**Cc:** Guedes, Juliana

**Subject:** RE: PO# 1031374 for the OXYCODONE product.

Dawn

Our DEA team is asking for the Following:

We need the following from Publix:

- A list of their top 10 stores by oxycodone tablet volume;
- A breakdown by SKU of their oxycodone ER and IR volume at each of the 10 stores;
- A list of the top 5 prescribers, including DEA number, at each of the 10 locations

Thanks

**Dan Baker**

Teva Pharmaceuticals  
Trade Account Specialist II

(215) 591-8691 Work  
(800) 545-8800 Option 2,1,1 Work  
(800) 760-1009  
Daniel.Baker@tevapharm.com

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**From:** Ward, Dawn [<mailto:dawn.ward@andanet.com>]  
**Sent:** Thursday, October 15, 2015 3:49 PM  
**To:** Daniel Baker  
**Cc:** Guedes, Juliana  
**Subject:** RE: PO# 1031374 for the OXYCODONE product.

Hi Dan,

Yes, this order is to be shipped and warehoused in OH. I've attached a copy of the order that has the shipping address.

Thank you,  
Dawn Ward  
Buyer

2915 Weston Road  
Weston, FL 33331  
[Dawn.ward@andanet.com](mailto:Dawn.ward@andanet.com)  
Direct: (954)-217-4103

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**From:** Daniel Baker [<mailto:Daniel.Baker@tevapharm.com>]  
**Sent:** Thursday, October 15, 2015 3:32 PM  
**To:** Ward, Dawn  
**Subject:** PO# 1031374 for the OXYCODONE product.

Can you tell me if this product is going to be warehoused in OH please?

Thanks

**Dan Baker**

Teva Pharmaceuticals  
Trade Account Specialist II

(215) 591-8691 Work  
(800) 545-8600 Option 2,1,1 Work  
(800) 760-1009  
Daniel.Baker@tevapharm.com

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